

Register of Action Worksheet  
Misdemeanor/Traffic/Infractions

Combined Court, Jefferson County

State of Colorado

Bond \$ . :  
Surety . :  
Def. Atty: Type:

Case #: 2018M-000060 Division: D  
ALISSA, AHMAD AL ALIWI  
16229 W 65TH PL  
ARVADA, CO 80007  
D.O.B.: 4/17/1999  
Complaint filed: 1/02/2018 Agcy: ARPD  
Summons#: AT115039  
Summons#:   
1st Appearance Date: 3/21/2018  
Continued to:

DATE FILED: March 21, 2018  
CASE NUMBER: 2018M60

FIRST APPEARANCE/ADVISEMENT/FURTHER ACTION

Defendant appeared( ) ProSe ( ) with Counsel Date:   
( ) Advised of rights/charges/penalties   
( ) Written entry/plea   
( ) Waiver/Guilty Plea mailed   
( ) Defendant failed to appear: bench warrant to issue   
( ) Defendant failed to appear: default Judgment entered   
( ) 18-1-1001 Mandatory restraining order Entered: Vacated:

CHARGES/PLEAS

Date: 3-21-18  
Defendant appeared( ) ProSe ( ) with Counsel  
Plea Charge# Statute Number Description

7 # 1 18-3-204(1) (a) ASSAULT 3-KNOW/RECKLESS CAUSE INJURY M1  
#  
#  
#  
#  
#

DISPOSITION

Date: 3/21/18  
Defendant appeared( ) ProSe ( ) with Counsel D/A Deputy: Sarah Loh  
Trial to ( ) Court ( ) Jury  
Plea Finding Charge ( ) Motion to dismiss granted ( ) Motion to amend granted  
#1: VRA compliant / 1 pg. C+1  
#2: 30 SE  
#3:  
#4:  
#5:  
#6:

SENTENCE

Date:   
Defendant appeared( ) ProSe ( ) with Counsel D/A Deputy:

Chg#	Assessed/Suspended	Chg#	Assessed/Suspended
Fine		Fine	
VCMP		VCMP	
VASG		VASG	
REST		REST	
PDDS		PDDS	
LEAF		LEAF	
CRTI		CRTI	
CRTX		CRTX	
ALCV		ALCV	
OJWF		OJWF	
TOTAL		TOTAL	

ADDITIONAL CONDITIONS

( ) Level Educ & hrs of Therapy  
( ) Monitored Antabuse  
( ) Inpatient/Outpatient Treatment  
( ) Domestic Violence Treatment/Classes  
( ) To be determined by Alcohol Evaluator  
( ) Intervention  
( ) Other  
( ) Other

Other:   
JAIL  
PROB  
CMSV

( ) Deferred prosecution granted for , to

( ) Deferred sentencing granted for , to

Other Conditions:

Bond(s) discharged:

## Advisement Pursuant to Rule 11 Colorado Rules of Criminal Procedure and Plea of Guilty

THE PEOPLE OF THE STATE OF COLORADO

VS

Ahmad Alissa

Defendant

18M60

Case Number

D

Division

**Section I. ACKNOWLEDGEMENT OF NAME, AGE AND EDUCATION**

I acknowledge that I am the defendant in this case and that my true name is as stated above. My date of birth is

. I have gone to school up to and including

**Section II. ADVISEMENT OF RIGHTS**

The following is a statement of rights which the defendant has in this case:

- You have the right to enter a plea of not guilty and have a trial in this case either to the Court or to a jury.
- You have the right to be represented by an attorney at all stages of your case including trial.
- If you do not have the money or means to hire an attorney, you may ask the Court to appoint one for you without cost to you, and one may be appointed to represent you.
- You are presumed innocent of the charge(s), and if you plead not guilty, the prosecution must prove your guilt beyond a reasonable doubt.
- You have the right to present evidence in your own defense and to compel the attendance of witnesses by subpoenas issued by the Clerk of Court.
- You have the right to remain silent concerning the charge(s) and the right to refuse to testify at any stage of the proceedings. Your silence does not imply any wrongdoing on your part and cannot be used against you.
- After the trial is over, you have the right to appeal to a higher Court to review the judgments of the Court.

**Section III. PLEA OF GUILTY**

- I acknowledge that I have read and understand the elements of the offense and the penalty for that offense stated in section VI of this form. I understand that the State would have to prove each element of the offense beyond a reasonable doubt before I could be convicted of that offense in a trial. I am entering a plea of guilty to that offense.
- I am entering my plea of guilty voluntarily and not as a result of coercion or undue influence on the part of anyone. There has been no force, threats or promises made to me to cause me to enter this plea.
- I understand that the Court will not be bound by any representations made to me by anyone concerning the penalty to be imposed or the granting or denial of probation, unless such representations are included in a formal plea agreement approved by the Court.
- I admit that there is a factual basis for the plea or that this plea is a result of a plea agreement and I waive the establishment of a factual basis for the charge.
- At this time I am not under the influence of any drugs, intoxicants, or medication which would interfere with my ability to understand the advisements given in this form. My physical and mental health is satisfactory.
- If represented, I have consulted with my lawyer concerning this matter and I am satisfied with the advice given by my lawyer.
- I understand that pleading guilty to the charge(s) may carry a risk of adverse collateral consequences, including potential consequences related to immigration status, probationary/parole status, employment, etc.
- I understand that the sentence imposed is at the Court's discretion.

**Section IV. ACKNOWLEDGMENT OF RIGHTS AND WAIVER**

I acknowledge that I have read and understand the statements in Sections I, II and III above. I acknowledge that I have read and understand the attached charge(s) and definitions and the penalties in Section VI & VII of this form. I understand that by entering my plea of guilty to the charge(s), I am waiving and giving up all the rights set forth in Section II above. I affirm that I read and understand the English language or this form was read to me in the language I understand ( ).

Date 3-21-18 Defendant - Print Name AHMAD ALISSA

Defendant's Signature *Ahmad Alissa*

**Section V. WAIVER OF RIGHT TO A LAWYER**

I acknowledge that I understand my right to have a lawyer represent me as explained in Section II above. I am voluntarily giving up that right and I choose to enter a plea of guilty at this hearing without the advice of a lawyer.

Date 3-21-18 Defendant - Print Name AHMAD ALISSA

Defendant's Signature *Ahmad Alissa*

## ORDER

The Court finds that the defendant has been fully advised, understands the nature of the charge(s), rights and consequences. The plea entered is knowingly, voluntarily and intelligently made by the defendant. The defendant acknowledges or waives establishment of a factual basis. Therefore the Court accepts the plea and enters judgment on the plea.

Date 3/2/18 County Court Judge [Signature]

## SECTION VI. ELEMENTS AND PENALTIES

### ELEMENTS

#### **A. THIRD DEGREE ASSAULT (M-1). §18-3-204:**

On or about the date and place charged, in Jefferson County, Colorado, you knowingly or recklessly caused bodily injury to another person or with criminal negligence caused bodily injury by means of a deadly weapon.

#### **B. CRIMINAL MISCHIEF (M-1 or M-2). § 18-4-501:**

On or about the date and place charged, in Jefferson County, Colorado, you knowingly damaged the property of one or more other persons, including property owned jointly by the person with another person or property owned by the person in which another person has a possessory interest, in the course of a single criminal episode.

M1: If the aggregate damage is \$750 or more but less than \$1,000.

M2: If the aggregate damage is \$300 or more but less than \$750.

M3: If the aggregate damage is less than \$300.

#### **C. HARASSMENT (M-3). §18-9-111(1):**

##### **1. §18-9-111(1)(a)**

On or about the date and place charged, in Jefferson County, Colorado, with the intent to harass, annoy or alarm another person, you struck, shoved, kicked or otherwise touched a person or subjected him or her to physical contact.

##### **2. §18-9-111(1) \_\_\_\_\_**

On or about the date and place charged, in Jefferson County, Colorado:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### **D. THEFT (PO1, M-1, M-2 or M-3). § 18-4-401:**

On or about the date and place charged, in Jefferson County, Colorado, you knowingly obtained, retained, or exercised control over anything of value of another without authorization, or by threat or deception; or receives, loans money by pawn or pledge on, or disposed of anything of value belonging to another that you knew or believed to have been stolen, and:

- (a) Intended to deprive the other person permanently of the use or benefit of the thing of value; or
- (b) Knowingly used, concealed, or abandoned the thing of value in such a manner as to deprive the other person permanently of its use or benefit; or
- (c) Used, concealed, or abandoned the thing of value intending that such use, concealment, or abandonment would deprive the other person permanently of its use and benefit; or
- (d) Demanded any consideration to which you were not legally entitled as a condition of restoring the thing of value to the other person; or
- (e) Knowingly retained the thing of value more than 72 hours after the agreed-upon time of return in any lease or hire agreement.

M1: If the value is \$750 or more but less than \$2,000.

M2: If the value is \$300 or more but less than \$750.

M3: If the value is \$50 or more but less than \$300.

PO1: If the value is less than \$50.

#### **E. VIOLATION OF PROTECTION ORDER (M-1 or M-2). §18-6-803.5:**

On or about the date and place charged, in Jefferson County, Colorado, after you had been personally served with a protection order that identifies you as the restrained person or otherwise had acquired from the Court or law enforcement personnel actual knowledge of the contents of a protection order that identifies you as being restrained:

- (a) Contacted, harassed, injured, intimidated, molested, threatened or touched the protected person or protected property, including an animal, identified in the protection order, or entered or remained on premises or came within a specified distance of the protected person, protected property, including an animal, or premises or violated any other provision of the protection order to protect the protected person from imminent danger to life or health, and such conduct was prohibited by the protection order.
- (b) Hired, employed, or otherwise contracts with another person to locate or assist in the location of the protected person, or
- (c) Violated a civil protection order pursuant to §13-14-102(22), or §18-1-1001(9)

- (I) Possessed or attempt to purchase or receive a firearm or ammunition while the protection order was in effect; or
- (II) Failed to timely file a receipt or written statement with the Court as described in §13-14-102(22)(i), or §18-1-1001(9)(i) or §18-6-801(8)(i).

Violation of Protection order is a Class 2 Misdemeanor unless the restrained party has previously been convicted of violating this section or a former version of this section or an analogous municipal ordinance, or if the protection order is issued pursuant to a criminal case, in which case the violation is a class 1 misdemeanor.

**F. CHILD ABUSE (M-1, M-2 or M-3) §18-6-401(1)(a):**

On or about the date and place charged, in Jefferson County, Colorado, you caused an injury to a child's life or health, or permitted a child to be unreasonably placed in a situation that posed a threat of injury to the child's life or health.

- When a person acts knowingly or recklessly and the child abuse resulted in any injury, it is a class 1 misdemeanor (18-6-401)(7)(a)(V).
- When a person acts with criminal negligence and the child abuse results in any injury, it is a class 2 misdemeanor (18-6-401)(7)(a)(VI).
- When a person acts knowingly or recklessly and the child abuse resulted in no injury, it is a class 2 misdemeanor (18-6-401)(7)(b)(I).
- When a person acts with criminal negligence and the child abuse results in no injury, it is a class 3 misdemeanor (18-6-401)(7)(b)(II).

**G. RECKLESS ENDANGERMENT (M3). §18-3-208:**

On or about the date and place charged, in Jefferson County, Colorado, you recklessly engaged in conduct which created a substantial risk of serious bodily injury to another person.

**H. CRIMINAL ATTEMPT §18-2-101:**

On or about the date and place charged, in Jefferson County, Colorado, you acted with the kind of culpability otherwise required for commission of the offense, engaged in conduct constituting a substantial step toward the commission of the offense.

Criminal attempt to commit a class 1 misdemeanor is a class 2 misdemeanor.

Criminal attempt to commit a misdemeanor other than a class 1 misdemeanor is a class 3 misdemeanor.

**I. OBSTRUCTING A PEACE OFFICER (M2). §18-8-104(1)(a):**

On or about the date and place charged, in Jefferson County, Colorado, by using or threatening to use violence, force, physical interference, or an obstacle, you knowingly obstructed, impaired, or hindered the enforcement of the penal law or preservation of the peace by a peace officer.

**J. RESISTING ARREST (M2). §18-8-103:**

On or about the date and place charged, in Jefferson County, Colorado, you knowingly prevented or attempted to prevent a peace officer, acting under color of his official authority, from effecting an arrest of you or another, by:

- (a) Using or threatening to use physical force or violence against the peace officer or another; or
- (b) Using any other means which created a substantial risk of causing bodily injury to the peace officer or another.

**K. FALSE REPORTING - FALSE INFORMATION (M3). §18-8-111(d):**

On or about the date and place charged, in Jefferson County, Colorado, you knowingly provided false identifying information to law enforcement authorities.

**L. DISORDERLY CONDUCT §18-9-106:**

On or about the date and place charged, in Jefferson County, Colorado you intentionally, knowingly, or recklessly:

- (a) Makes a coarse and obviously offensive utterance, gesture, or display in a public place and the utterance, gesture, or display tends to incite an immediate breach of the peace; or, (PO1)
- (c) Makes unreasonable noise in a public place or near a private residence that he has no right to occupy; or, (PO1)
- (d) Fights with another in a public place; or, (M3)
- (e) Discharge a firearm in a public place except when engaged in lawful target practice or hunting; or, (M2)
- (f) Display a real or simulated deadly weapon. (M2)

**M. \_\_\_\_\_ § \_\_\_\_\_ :**

On or about the date and place charged, in Jefferson County, Colorado,



## PENALTIES

- M-1: Imprisonment in the county jail for a minimum of 6 months and a maximum of 18 months, or a fine of \$500 minimum and \$5,000 maximum, or both such fine and imprisonment. If the crime is one of extraordinary risk, then the maximum possible jail sentence is **24 months**. Third Degree Assault, Child Abuse (M1), and Violation of a Protection Order (second or subsequent offense) are crimes of extraordinary risk.
- M-2: Imprisonment in the county jail for a minimum of 3 months and a maximum of 12 months, or a fine of \$250 minimum and \$1,000 maximum, or both such fine and imprisonment.
- M-3: Imprisonment in the county jail for a maximum of 6 months, or a fine of \$50 minimum and \$750 maximum, or both such fine and imprisonment.
- P-01: Imprisonment in the county jail for a maximum of 6 months, or a fine of \$500 maximum, or both such fine and imprisonment. There is no minimum fine or term of imprisonment for this class of offense.

## **Section VII: DEFINITIONS**

You act "**INTENTIONALLY**" or "**WITH INTENT**" when your conscious objective is to cause the specific result proscribed by the statute defining the offense. It is immaterial whether or not the result actually occurred.

A person acts "**KNOWINGLY**" with respect to conduct or to circumstance described by a statute defining an offense when you are aware that your conduct is of such nature or that such circumstance exists. A person acts "knowingly" with respect to a result of his conduct when you are aware that his conduct is practically certain to cause the result.

A person acts "**RECKLESSLY**" when you consciously disregards a substantial and unjustified risk that a result will occur or that a circumstance exists.

A person acts "**WITH CRIMINAL NEGLIGENCE**" when, through a gross deviation from the standard of care that a reasonable person would exercise, you fail to perceive a substantial and unjustified risk that a result will occur or that a circumstance exists.

"**BODILY INJURY**" means physical pain, illness, or any impairment of physical or mental condition. "**SERIOUS BODILY INJURY**" means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of death, a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.

"**CHILD**" means a person under the age of 16.

"**DEADLY WEAPON**" means any of the following which in the manner it is used or intended to be used is capable of producing death or serious bodily injury: (I) A firearm, whether loaded or unloaded; (II) A knife; (III) A bludgeon; or (IV) Any other weapon, device, instrument, material, or substance, whether animate or inanimate.

"**FIREARM**" means any handgun, automatic, revolver, pistol, rifle, shotgun, or other instrument or device capable or intended to be capable of discharging bullets, cartridges, or other explosive charges.

"**IDENTIFYING INFORMATION**" means a persons name, address, birth date, social security number, or driver's license or Colorado identification number.

"**PROTECTION ORDER**" also known as a "**RESTRAINING ORDER**" means any order which prohibits the restrained person from contacting, harassing, injuring, intimidating, molesting, threatening, or touching any protected person or protected animal, or from entering or remaining on premises, or from coming within a specified distance of a protected person or protected animal or premises or any other provision to protect the protected person or protected animal from imminent danger to life or health, that is issued by a court of this state or a municipal court.

"**PROTECTED PERSON**" means the person or persons identified in a protection order as the person or persons for whose benefit the protection order was issued.

"**RESTRAINED PERSON**" means the person identified in the protection order as the person prohibited from doing the specified act or acts.

"**SUBSTANTIAL STEP**" means any conduct, whether act, omission, or possession, which is strongly corroborative of the firmness of the actor's purpose to complete the commission of the offense.

"**THING OF VALUE**" includes real property, tangible and intangible personal property, contract rights, choses in action, services, confidential information, medical records information, and any rights of use or enjoyment connected therewith.

"**PEACE OFFICER**" means a peace officer in uniform or, if out of uniform, one who has identified themselves by exhibiting their credentials as such peace officer to the person whose arrest is attempted.

### Section VIII: CERTIFICATION OF COUNSEL

The undersigned, as lawyer for the above defendant, hereby certifies:

1. I have read and fully explained to the defendant the allegations contained in the information in this case. To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing Petition are in all respects accurate and true.
2. I have explained the possible penalties to the defendant and consider the defendant competent to understand the charges and the effect of the plea of Guilty.
3. In my opinion the plea of Guilty as offered by the defendant is voluntarily and understandingly made.
4. I have explained to the defendant and am satisfied that the defendant understands the existence and nature of the physical evidence in this case, and the potential that some of that evidence may contain DNA. I have explained to the defendant and am satisfied that the defendant understands and is waiving any right to the preservation of evidence that may contain DNA, and that all evidence may be disposed of by law enforcement without further notice or court order.
5. Having discussed this matter carefully with the defendant, I am satisfied and I hereby certify that the defendant is, in my opinion, mentally and physically competent; there is no mental or physical condition which would affect the defendant's understanding of these proceedings; further, I state that I have no reason to believe that the defendant is presently operating under the influence of drugs, alcohol or medication.
6. The driving record contained in the court file, and the convictions reflected above constitute an accurate record of the defendant's alcohol-related convictions, to the best of my knowledge.
7. I have advised my client about possible collateral consequences of this plea, per my obligations under *Padilla*. Additionally, we have discussed other possible impacts of this plea.

Signed by me in the presence of the above-named defendant and after full discussion of the contents of this certificate with the defendant on: \_\_\_\_\_

Name of attorney: \_\_\_\_\_

Reg. No. \_\_\_\_\_

Signature: \_\_\_\_\_